

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF MISSOURI

FILED

5/18/07

Clerk, U.S. Bankruptcy Court  
Western District of Missouri

In Re: Peter Albert Prescotte

Debtor(s)

Case No.: 07-50082-jwv13

**ORDER CONFIRMING CHAPTER 13 PLAN  
AS FILED OR AMENDED ON OR ABOUT 4/26/2007**

The court finds that the Chapter 13 plan complies with 11 U.S.C. 1325(a)(1),(2),(3),(4),(5), and (6) and 1325(b). It is therefore

**ORDERED, ADJUDGED and DECREED:**

1. The plan is confirmed, subject to modification as provided in paragraph 12.
2. The debtor or any entity from which the debtor receives income shall pay to the trustee according to the terms of the plan which shall not exceed 5 years. Payments shall continue until further order of this court. The trustee may cause a wage order to be issued to the debtor's employer. 11 U.S.C. 1322(a)(1), 1322(d), and 1325(c). Local Rule 3083-1H.
3. Payments to all creditors shall be made according to the terms of the plan, Local Rules of this Court, the trustee's notice to allow claims, the trustee's notice to allow additional or amended claims, and further orders of the court. The trustee shall only make payments to creditors with filed and allowed claims. 11 U.S.C. 1326(c), Local Rule 3084-1, and Local Rule 3085-1.
4. Priority claimants shall be paid in full pursuant to 11 U.S.C. 1322(a)(2).
5. The trustee shall be paid in full pursuant to 11 U.S.C. 503(b), 1326(b)(2) and 28 U.S.C. 586(e)(1)(A) and (B).
6. For cases filed on or before October 16, 2005, the debtor shall devote to the plan all disposable income during the first 36 months after the first payment is due under the plan unless the debtor pays 100 percent to all filed and allowed claimants. For cases filed on or after October 17, 2005, the debtor shall devote to the plan all disposable income for payment to unsecured claimants for the applicable commitment period from the date the first payment is due as defined in 11 U.S.C. 1326(a)(1). The debtor shall report to the standing trustee any events affecting disposable income, including but not limited to: tax refunds, inheritances, prizes, lawsuits, gifts, etc., which are received or receivable during the pendency of the case. 11 U.S.C. 1325(b).
7. The debtor shall not incur any additional debts while this case is open without prior approval of the court except those which may be necessary in an emergency for the protection and preservation of life, health, or property. The trustee may make emergency refunds or grant borrowing requests pursuant to Local Rule 3088-1 and 2005 Standing Order #4.
8. Until the case is closed, the debtor is enjoined and prohibited from selling, encumbering, or in any manner disposing of assets without the prior order of the court except as may be required in the course of the debtor's business if the debtor is engaged in business. The debtor may, without court order, sell unencumbered property which has not had a lien avoided as part of this proceeding with a fair market value less than \$2,500.00 so long as, within 10 days of the sale, the debtor files with the court an accounting of said sale.
9. Title to the property of the estate vests in the debtor(s) or as specified in the plan. However, property of the estate which vests in the debtor(s) remains property of the estate pursuant to 11 U.S.C. 1306 for purposes of compliance with 11 U.S.C. 1325(b) and post-petition garnishments.
10. All composition plans may be amended for compliance with 11 U.S.C. 1325(b) based on actual filed and allowed claims or for a substantial change in circumstances for the debtor(s). All plans may be amended for compliance with 11 U.S.C. 1322(d).
11. Funds paid into the trustee's office in a confirmed plan prior to the case being dismissed or converted shall be distributed pursuant to the confirmed plan and this confirmation order.
12. Notwithstanding this Order, the Trustee may move to modify the plan in the event tax refunds due the debtor are not exempt, based on the pending appeal in In re Benn, Case no. 06-2217, United States Court of Appeals for the Eighth Circuit.

Dated: 5/18/07

/s/ Jerry W. Venters

UNITED STATES BANKRUPTCY JUDGE

Bankruptcy Noticing Center  
2525 Network Place, 3rd Floor  
Herndon, Virginia 20171-3514

# CERTIFICATE OF SERVICE

District/off: 0866-5  
Case: 07-50082

User: hardend  
Form ID: 502

Page 1 of 2  
Total Served: 55

Date Rcvd: May 18, 2007

The following entities were served by first class mail on May 20, 2007.

db +Peter Albert Prescotte, 9918 NW 71st Terr, Parkville, MO 64152-2463  
aty +Christopher T. Patterson, 7000 N. W. Prairie View Road, Ste 160, Kansas City, MO 64151-3808  
tr +Richard Fink, Suite 800, 818 Grand Blvd, Kansas City, MO 64106-1901  
smg Missouri Department of Revenue, General Counsel's Office, PO Box 475,  
Jefferson City, MO 65105-0475  
12085798 AT&T, PO Box 930170, Dallas TX 75393-0170  
12085799 ATMOS Energy, PO Box 660063, Dallas TX 75266-0063  
12085800 +Atmos Energy Corp, PO Box 15488, Amarillo TX 79105-5488  
12085803 Bank of America, PO Box 26012, Greensboro NC 27420-6012  
12085802 Bank of America, PO Box 5270, Carol Stream IL 60197-5270  
12085801 Bank of America, PO Box 1390, Norfolk VA 23501-1390  
12117704 Bank of America, NA (USA), Attn: Mr. M-BK, PO Box 53160, Phoenix, AZ 85072-3160  
12085804 Berman & Rabin PA, 10670 Barkley Second Floor, PO Box 11311, Overland Park KS 66207-1011  
12085806 Capital One, PO Box 85015, Richmond VA 23285-5015  
12085805 Capital One, PO Box 790216, St Louis MO 63179-0216  
12097773 +Capital One Bank, c/o Tsys Debt Mgmt., PO Box 5155, Norcross, GA 30091-5155  
12085807 +Capital One Services (bankruptcy), PO Box 5155, Norcross GA 30091-5155  
12085808 Chase, PO Box 78116, Phoenix AZ 85062-8116  
12085809 +Chase Home Finance, 4501 New York Ave, Arlington TX 76018-4820  
12085810 Chase Home Finance, PO Box 50911 Dept 310, San Deigo CA 92150-9011  
12095703 +Chase Home Finance LLC, 10790 Rancho Bernardo Rd., San Diego, CA 92127-5705  
12085811 +Clerk, Platte County Circuit Court, 415 3rd St, Platte City MO 64079-8476  
12085812 +Credit World Services Inc, 6000 Martway, Shawnee Mission KS 66202-3389  
12085813 +Executive Financial Consultants, 310 Armour Rd Ste 220, North Kansas City MO 64116-3541  
12085815 +Financial Credit Network, PO Box 3084, Visalia CA 93278-3084  
12085814 +Financial Credit Network, 1300 W Main St, Visalia CA 93291-5825  
12085816 +First Financial Asset, 230 Peachtree St Ste 170, Atlanta GA 30303-1534  
12085817 +Frederick J Hanna & Associates, 1655 Enterprise Way, Marietta GA 30067-9209  
12085818 +Gamache & Myers, 1111 Woods Mill Rd Ste 180, Town & Country MO 63017-0600  
12085819 +HSBC, PO Box 19360, Portland OR 97280-0360  
12085820 +Kansas City Power & Light, PO Box 219330, Kansas City MO 64121-9330  
12117969 +Kansas City Power & Light, PO Box 418679, Kansas City, MO 64141-9679  
12085821 Kansas Counselors, Inc., PO Box 14765, Shawnee Mission KS 66285-4765  
12085822 +LVNV Funding, PO Box 740281, Houston TX 77274-0281  
12085824 +Missouri Gas Energy, 3420 Broadway, Kansas City MO 64111-7516  
12085823 Missouri Gas Energy, PO Box 219255, Kansas City, MO 64121-9255  
12085825 NCO Financial Systems, PO Box 15894, Wilmington DE 19850-5894  
12085826 +North Star Capital Acquisitions LLC, 220 John Glenn Dr Ste 1, Amherst NY 14228-2228  
12085827 Penn Credit Corp., PO Box 988, Harrisburg PA 17108-0988  
12085828 +Penn Credit Corp., 916 S 14th St, Harrisburg PA 17104-3425  
12085830 Portfolio Recovery Associates, PO Box 41067, Norfolk VA 23541-1067  
12100534 +Portfolio Recovery Associates, LLC, Post Office Box 12914, Norfolk, Virginia 23541-0914  
12085832 Professional Finance Company, PO Box 1686, Greeley CO 80632-1686  
12085831 +Professional Finance Company, 5754 W 11th St Ste 100, Greeley CO 80634-4811  
12085833 Providian VISA Card, PO Box 660490, Dallas TX 75266-0490  
12085834 Providian/Washington Mutual, PO Box 660487, Dallas TX 75266-0487  
12085835 +Southwestern Bell, Bankruptcy Department, PO Box 769, Arlington TX 76004-0769  
12085836 Target, Retailers National Bank, PO Box 59317, Minneapolis MN 55459-0317  
12085837 Target National Bank, c/o Target Credit Services, PO Box 1581, Minneapolis MN 55440-1581  
12085839 +Wal-Mart, PO Box 981064, El Paso TX 79998-1064  
12085838 +Wal-Mart, PO Box 960023, Orlando FL 32896-0023  
12085840 +Wells Fargo Financial, Bankruptcy Department, 4137 121st Street, Urbandale IA 50323-2310  
12085841 +Wells Fargo Financial, 303 N.E. Englewood Rd E, Kansas City MO 64118-4501  
12141984 eCAST Settlement Corporation assignee of, Bank of America/FIA Card Services, formerly MBNA,  
POB 35480, Newark NJ 07193-5480

The following entities were served by electronic transmission on May 18, 2007.

12085829 E-mail/PDF: ebn@phinsolutions.com May 18 2007 22:33:34 Plaza Associates, PO Box 18008,  
Hauppauge NY 11788-8808  
12165784 E-mail/PDF: B-LinellcBNCNotifications@blinellc.com May 18 2007 22:33:43 Roundup Funding, LLC,  
MS 550, PO Box 91121, Seattle, WA, 981119221

TOTAL: 2

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

District/off: 0866-5  
Case: 07-50082

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Page 2 of 2  
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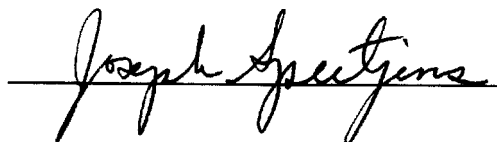
\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Service and that it is true and correct to the best of my information and belief.

First Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 20, 2007

Signature:

A handwritten signature in black ink, reading "Joseph Speetjens", written over a horizontal line.